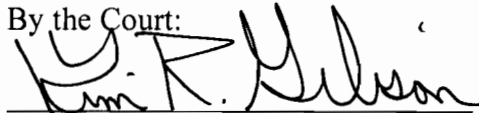


AND NOW, this 10th day of September, 2007;

IT IS HEREBY ORDERED that ~~Plaintiff's~~ Defendants' Partial Motion to Dismiss (doc. no. 21) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 48) of Magistrate Judge Lenihan, dated August 13, 2007, is adopted as the Opinion of the Court.

By the Court:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

Kim R. Gibson
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Michael Piskanin, GG - 2457
SCI Cresson, Drawer A
Old Route 22
Cresson, PA 16699-0001